

STATE OF DELAWARE
COUNTY OF NEW CASTLE §§.

AFFIDAVIT/STATEMENT
Shane Hopkins #00253918

STATEMENT

I Shane Hopkins BEING FIRST duly SWORN deposes And SAYS THAT ON 11-26-04 The FOREGOING INCIDENT TOOK PLACE IN M.H.V. Bld. #22 BETWEEN MYSELF AND CORRECTIONAL OFFICERS. I WOULD THEREFORE STATE THE FOLLOWING EVENTS TOOK PLACE AGAINST MY PERSON.

ON 11-26-04 MY CELL MATE BRIAN O'NEAL PURPOSEFULLY CLOGGED OUR CELLS TOILET A-L-#10. BRIAN O'NEAL THEN COMPLAINED TO THE GUARDS ABOUT THE BROKEN TOILET AND DEMANDED TO BE MOVED TO ANOTHER CELL. CORRECTIONAL OFFICER BAKER THEN ORDERED ME TO PACK MY PROPERTY AND MOVE TO CELL A-U-#12. I TOLD C/O BAKER THAT I DID NOT GET ALONG WITH THE INMATE IN CELL A-U-#12 AND THAT I WOULD NOT MOVE BECAUSE WE MIGHT GET INTO A PHYSICAL ALTERCATION. C/O BAKER THEN LEFT THE TIER IN ORDER TO CALL FOR BACKUP.

Exhibit "B"

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AFTER SEVERAL MINUTES LT. YODER AND C/O^S JOE SMITH AND JOHN PUSEY CAME TO TALK TO ME. I TOLD LT. YODER OF MY FEARS CONCERNING THE MOVE TO CELL A-U-#12.

LT. YODER ASSURED ME THAT THE MOVE WOULD ONLY BE TEMPORARY AND THAT I WOULD BE MOVED BACK TO CELL A-L#10 AS SOON AS THE TOILET WAS FIXED. SO I AGREED TO MOVE.

WHILE I WAS PACKING MY PROPERTY FOR THE MOVE C/O JOE SMITH NOTICED THAT I HAD SEVERAL BOOKS. INSTITUTIONAL POLICY FOR THE M.H.U STATES THAT INMATES ARE ONLY ALLOWED TO HAVE TWO BOOKS. C/O SMITH ORDERD ME TO GO TO CELL A-U-#12 WHILE HE CONDUCTED A INVENTORY SHAKEDOWN OF MY PROPERTY.

DURING THE INVENTORY / SHAKEDOWN I WAS ABLE TO HEAR AND SEE AS SEVERAL BOOKS ALONG WITH VERIOUS OTHER ITEMS WHERE THROWN INTO THE HALLWAY BY OFFICERS SMITH AND PUSEY.

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AFTER C/O^S SMITH AND PUSEY COMPLETED THE INVENTORY / SHAKEDOWN C/O PUSEY BROUGHT THE PROPERTY THAT WAS DEEMED ALLOWABLE TO ME IN CELL A-U-#12 IN A TRASH BAG AND ORDERED THE CELL DOOR BE OPENED.

C/O PUSEY BEGAN TO HAND ME TWO LIBRARY BOOKS. I STEPPED OUT OF THE CELL AND POINTED DOWN TO MY PERSONAL BOOKS ON THE TIER FLOOR AND ASKED WHY THEY WERE BEING CONFISCATED. C/O PUSEY TOLD ME THE BOOKS WERE BEING TAKEN BECAUSE I HAD MORE THEN THE ALLOWABLE NUMBER OF BOOKS.

I TOLD C/O PUSEY THAT I WAS ALLOWED TO HAVE TWO INSTITUTIONAL LIBRARY BOOKS ALONG WITH TWO PERSONAL BOOKS.

C/O PUSEY TOLD ME THAT HE DID NOT CARE AND HE GRABBED MY SHIRT AND STARTED TO PUSH ME BACKWARDS INTO THE CELL. I TRIPPED OVER THE BAG CONTAINING MY PROPERTY AND HIT MY HEAD ON THE CELL DOOR.

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BEFOR I COULD REGAIN MY FOOTING C/O PUSEY
PLACED ME IN A HEADLOCK/CHOKEHOLD AND CALLED
DOWNSTAIRS TO C/O SMITH.

FROM THE HEADLOCK/CHOKEHOLD I ASKED C/O
PUSEY WHAT HIS FUCKING PROBLEM WAS AND REACHED
MY HANDS UP UNDER HIS CHOKING ARM TO RELIEVE THE
PRESSURE FROM AROUND MY NECK.

AT THIS POINT EITHER C/O PUSEY OR C/O
SMITH BEGAN TO PUNCH ME REPEATEDLY IN THE
CHEST AND STOMACH. I COULD NOT SEE WHO
BECAUSE MY HEAD WAS BEING HELD FACING AWAY
FROM THE OFFICERS.

C/O SMITH PULLED MY FEET OUT FROM UNDER
ME AND I FELL TO THE FLOOR. WHERE I VOLUNTARILY
TURNED ONTO MY STOMACH AND PLACED MY HANDS
BEHIND BEHIND MY BACK SO THAT THE C/O'S COULD
PUT THE HANDCUFFS ON.

OFFICER PUSEY KNELT ON MY BACK AS IF
TO CUFF ME.

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C/O Smith BENT OVER ME AND SAID "I HATE THIS FAGGOT MOTHER FUCKER" AND PUNCHED ME REPEATEDLY IN THE FACE.

WHEN I TRIED TO SHIELD MY FACE FROM THIS ATTACK OFFICER POSEY PLACED ME IN A CHOKEHOLD / HEADLOCK AND APPLIED SO MUCH PRESSURE ON MY NECK THAT MY VISION BEGAN TO BLUR AND I BECAME SCARED FOR MY LIFE. I MANAGED TO TELL C/O POSEY THAT I COULDN'T BREATHE. INSTEAD OF LESSENING THE PRESSURE C/O POSEY SQUEEZED HARDER.

I HEARD SOME OTHER OFFICERS ARRIVING BUT I DO NOT KNOW WHO THEY WERE BECAUSE MY HEAD WAS TURNED AWAY FROM THEM. ONE OF THE OFFICERS HOLLERED "SPRAY THIS MOTHER FUCKER" AND I WAS CAPFOAMED AND HANDCUFFED.

I WAS THEN LIFTED TO MY FEET AND TOLD TO FACE THE WALL WHERE C/O Smith Slapped ME IN THE BACK OF THE HEAD REPEATEDLY MAKING MY FACE HIT THE WALL.

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I WAS THEN ESCORTED DOWNSTAIRS AND WHEN WE REACHED THE BOTTOM C/O SMITH GRABBED ME BY THE THROAT AND LIFTED MY HEAD UP AS HE LED ME PAST ALL OF THE DOWNSTAIRS CELLS DISPLAYING MY INJURIES TO THE OTHER INMATES.

AFTER WE LEFT THE TIER OFFICER SMITH HELD MY ARMS UP IN THE AIR CAUSING ME TO STOOP FORWARD SO THAT THE TOP OF MY HEAD WAS IN FRONT OF ME. WHEN BUILDING # 22 INSIDE SLIDING DOOR OPENED MY ARMS WERE PUSHED SO THAT MY HEAD BANGED INTO THE DOOR JAM.

OFFICERS SMITH AND PUSEY BEGAN TO LAUGH AND WHEN BUILDING # 22 OUTSIDE SLIDING DOOR OPENED OFFICER SMITH PUSHED MY HANDCUFFED ARMS AND MY HEAD WAS FORCED INTO THE DOOR JAM AGAIN. C/O SMITH SAID "THAT SOUNDED LIKE IT HURT," ALONG WITH VARIOUS OTHER COMMENTS ABOUT THE INCIDENT.

I WAS THEN LED UP THE WALKWAY TO BUILDING #24 WHERE C/O SMITH FORCED MY HEAD INTO THE WALL.

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I COULD NOT SEE BECAUSE OF THE CAPFOAM IN MY EYES AND I WAS UNABLE TO MOVE TO AVOID THESE BLATANT ATTEMPTS TO INFLICT PAIN.

I WAS THEN TAKEN TO A CLASSROOM AND LEFT ALONE FOR SEVERAL MINUTES BEFORE NURSE BETTY EXAMINED ME. I TOLD HER AND EVERYONE ELSE IN THE ROOM HOW C/O^S SMITH AND PUSEY HAD BEATEN ME WITHOUT JUSTIFICATION.

OFFICER SMITH KEPT SCREAMING FOR ME TO "SHUT UP HOPKINS", IN ORDER TO PREVENT ME FROM TELLING OTHER PEOPLE WHAT THEY HAD DONE TO ME.

NURSE BETTY THEN TOLD L.T. TO CLEAN THE CAPFOAM FROM MY EYES AND I WAS LED FROM THE CLASSROOM TO A SINK WHERE I HAD MY FACE CLEANED.

I COULD HEAR THAT THERE WERE MANY PEOPLE AROUND ME SO I BEGAN TO TELL EVERYONE WHAT C/O^S SMITH AND PUSEY HAD DONE TO ME.

ONCE AGAIN C/O SMITH WAS NEARBY AND HE ORDERED ME TO "SHUT UP".

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AFTER THE CAPFOAM WAS CLEANED FROM MY FACE I WAS TAKEN BACK TO THE CLASSROOM WHERE MY LEGS WERE SHACKLED TO A TABLE.

EVERYONE LEFT THE ROOM AND AFTER SEVERAL MINUTES C/O^S SMITH AND POSEY CAME INTO THE ROOM AND ORDERED ME TO STAND UP. I STOOD UP AND THEY BENT ME OVER A TABLE I WAS SHACKLED TO. C/O SMITH GRABBED MY RIGHT HAND MIDDLE FINGER AND STARTED TO BEND IT BACKWARDS. C/O SMITH THEN LET GO OF MY MIDDLE FINGER AND SWITCHED TO MY INDEX FINGER. C/O POSEY ASKED C/O SMITH IF HE "HAD THE ONE HE WANTED", AND OFFICER SMITH BEGAN TO BEND MY FINGER AS IF TO BREAK IT. WHEN I BEGAN TO FEEL PAIN I CALLED C/O^S SMITH AND POSEY "A COUPLE OF REAL BITCHES" LOUDLY AND THEY BOTH GOT OFF OF ME AND LEFT THE ROOM.

APPROX. 5 MINUTES PASSED AND NURSE BETTY CAME AND CLEANED MY WOUNDS AND CHECKED MY FINGER.

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SHE ALSO CHECKED MY BLOOD OXYGEN CONTENT
AND BLOOD PRESSURE BEFORE TELLING ME TO CALM DOWN.

THESE CORRECTIONAL OFFICERS SEEMED TO
DERIVE PLEASURE BY CAUSING ME PAIN.

I DID NOT RESIST THEIR ATTACK AT ANY
TIME BECAUSE I KNEW THE CONSEQUENCES IF
I PUNCHED, KICKED OR SCRATCHED THESE GUARDS.

BECAUSE OF THE EXTENSIVE INJURIES I
RECEIVED I REQUESTED PICTURES BE TAKEN OF
MY BODY. L.T. TOOK SEVERAL PHOTOS BUT
HE COULD NOT TAKE PICTURES OF THE BUMPS AND
ABRAISIONS ON MY SCALP.

I DID NOT RESIST THESE OFFICERS ENOUGH
TO JUSTIFY MY INJURIES.

NO OFFICERS RECEIVED ANY INJURIES
DURING THIS ALTERCATION.

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 20th day of
MAY 2005

Shawn Hopkins

Brian W. Esquerra
NOTARY PUBLIC